

# RCRA Brownfields

## National Perspectives- Local Successes

### Presentation for

## Brownfields 2001 Conference

September 24, 2001

## RCRA Brownfields:

### National Perspectives - Local Successes

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- ▶ National Perspective - Elizabeth A. Cotsworth, Director, Office of Solid Waste, USEPA
- ▶ RCRA Brownfields Pilots - Matt Hoagland, Chief, RCRA Corrective Action Section, USEPA Region 3

## RCRA Brownfields Program

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- EPA Brownfields programs are here to stay: Administrator and Presidential priority
- RCRA Brownfields program relatively new, but growing
- Several RCRA Brownfields projects
- RCRA community should be considering Brownfields concerns at all RCRA Facilities

## EPA's Brownfields Initiative

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- Is designed to empower States, cities, Indian Tribes, communities and others to work together to prevent, assess, clean up and sustainably reuse brownfields sites ...

**Which also helps  
protect greenfields!**



## **What Are Brownfields?**

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- Brownfields are abandoned, idled or under-used industrial and commercial properties where expansion or redevelopment is complicated by real or perceived environmental contamination.

## **What is a RCRA Brownfields?**

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- A potential RCRA brownfield is a facility that is not in full use, where there is redevelopment potential, and where reuse or redevelopment of that site is slowed due to real or perceived concerns about RCRA cleanup requirements

## **Superfund and RCRA**

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- Superfund Brownfields Program at Superfund Sites
  - ▶ Brownfields Assessment Pilots
  - ▶ Brownfields Cleanup Revolving Loan Funds
  - ▶ State Response Program Support
  - ▶ Job Training Program
- RCRA Brownfields Program at RCRA sites
  - ▶ Known Owner/Operator
  - ▶ Minimal Funding
  - ▶ Fall under RCRA Corrective Action Program or Authorized State program
- Some Sites have both RCRA and Superfund Concerns
  - ▶ RCRA issues have been identified in 99% of Superfund Brownfields pilot applications

## **RCRA Brownfields Opportunity**

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- EPA created the RCRA Brownfields Prevention Initiative to:
  - ▶ Prevent future brownfields
  - ▶ Ensure the successful cleanup and long-term, sustainable reuse of RCRA facilities
  - ▶ Help meet GPRA goals
  - ▶ Facilitate stakeholder dialogue
  - ▶ Improve blighted communities

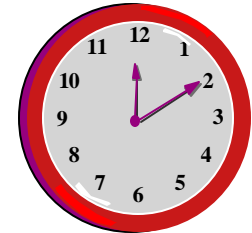
## The RCRA Challenge

- Stakeholders perceive several challenges to cleanup and redevelopment in RCRA
  - ▶ Liability issues
  - ▶ Complicated regulations that focus on process not results
  - ▶ Lengthy cleanup timeframes
  - ▶ Concerns that cleanup and reuse will trigger facility-wide RCRA corrective action

## RCRA Brownfields Themes

- **An Ounce of Prevention**

- ▶ Using brownfields redevelopment potential can ***help you get the job done faster***



## RCRA Brownfields Themes

- **Not Your Mother's (or Father's) RCRA**

- ▶ The marriage of RCRA Cleanup Reforms and brownfields really works!



## RCRA Brownfields Themes

- **Make Room at the Table**

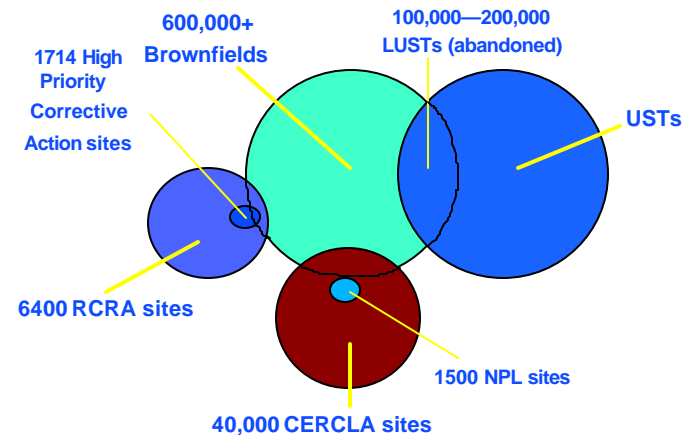
- ▶ Working with a whole new range of stakeholders on the front end of the process can speed up results and make everyone a winner!



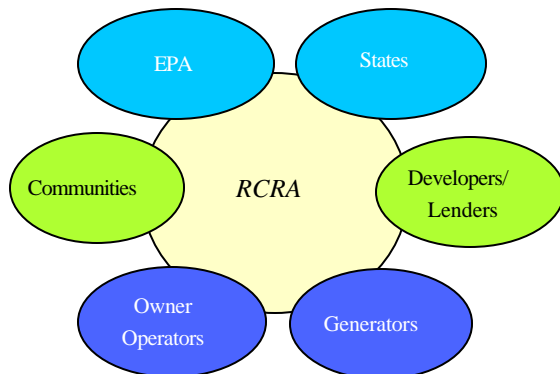
## Integrating Brownfields philosophy into RCRA Community

- Included as part of RCRA Corrective Action Reforms II, announced in January 2001
- Conducting outreach to increase focus on RCRA Brownfields on all levels of RCRA community
  - ▶ Managers and staff
  - ▶ EPA regions, states, private sector
  - ▶ Local community groups
- Will continue in 2002 and beyond to incorporate Brownfields concerns at RCRA sites.

## Brownfields Universe



## Who are the RCRA Players?



## Current RCRA Brownfields Prevention Initiative

- RCRA Brownfields Workgroup
- RCRA Brownfields Pilots
- Targeted Site Efforts
- Training and Outreach
- Brownfields integration with the RCRA Cleanup Reforms

## RCRA Brownfields Workgroup

- Workgroup was formed to:
  - ▶ Identify issues related to redevelopment of RCRA sites
  - ▶ Develop solutions to problems
  - ▶ Develop the future direction of the Initiative
- Workgroup is comprised of representatives from OSWER, OECA, OGC, Regions, and two states representing ASTSWMO

## RCRA Brownfields Pilots

- Developed program to showcase approaches and initiatives being used at RCRA Brownfields.
- 4 Pilots in 2000, 5 new pilots in 2001
- Lessons Learned Report for first four pilots completed this month.
- Matt Hoagland will discuss Pilots in the second portion of this session.

## Targeted Sites Efforts Program

- Purpose: to try out approaches to give a quick boost to site (e.g., may be a community outreach meeting)
- 8 TSEs chosen this September
- Limited funding, projects to take place in Fall
- Results and lessons learned of the TSEs will be posted on Web



## Targeted Sites Efforts Program

Region	TSE Site Proposal	GPRA Facility?	Comments/description
1	Forestville Industrial, Plating, Southington, CT	yes	GW Sampling - To determine source of local GW plume. If TSE site not responsible, free up land for continued use.
4	Gaston Copper Recycling Corp. Gaston, SC	no	Facilitate Stakeholder Involvement Efforts
5	Muskegon Heights-Safety Keen Muskegon Heights, MI	no	Facilitate Outreach
6	Cyril PetroChemical Corporation, Cyril, OK	no	Failure Analysis - RCRA site offered up for purchase. Several interested parties, no bids.
7	Chemical Recovery Corporation, Kansas City, MO	no	Further site assessment - A "no further action" would free up site for further use.
8	Mit Adams, Inc., Commerce City, CO	yes	Support efforts to establish a voluntary clean-up process with owner and interested site used oil Contributors.
10	STEDCO Mill, Confederate Tribes of the Siletz	no	Further site assessment - to facilitate redevelopment of site with proper environmental systems.
10	Phillips Services Corporation Seattle, WA	yes	Facilitate Community involvement and dialogue

## Outreach and Training

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- Outreach sessions and information for EPA Regions and State implementors
- Participate in Industry and State conferences, including Brownfields 2001, Chicago, IL (Sept 24-26)
- Brownfields Session at RCRA National Meeting, January 2002
- Develop fact sheets, guidances and other tools for use regarding RCRA sites - posting on Internet

## RCRA Corrective Action Reforms

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- 1999 Corrective Action Reforms
  - ▶ faster, focused, more flexible cleanups
- 2001 Corrective Action Reforms
  - ▶ Connecting Communities to Cleanup
  - ▶ Showcase Pilots
  - ▶ Accelerating Culture Change
  - ▶ Capitalizing on Redevelopment Potential

## Connecting Communities to Cleanup

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- Upfront community and stakeholder involvement vital at redevelopment sites
- EJ concerns play a role
- Community Outreach Guidance

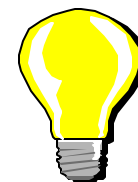


— [http://www.epa.gov/correctiveaction/resource/guidance.htm#Public Involvement/Communication](http://www.epa.gov/correctiveaction/resource/guidance.htm#Public%20Involvement/Communication)

## Corrective Action Showcase Pilots

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- Showcasing innovative approaches at RCRA sites in all Regions
- 31 Pilots selected this summer
- Projects and lessons learned will be posted on Web



## **Accelerating Culture Change**

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- Changing the way we approach RCRA Cleanups is essential to successfully implement RCRA Reforms.
- Culture change means overcoming barriers - not creating them.
- EPA and State staff should have a "can do" attitude and innovative thinking about achieving results.
- Getting the word out: EPA is promoting more outreach, internal and external training sessions, success stories, and a spirit of partnership.

## **Program Flexibilities**

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- Streamlining/expediting aspects of permit/review process
- HWIR media
- LDR (e.g., alternative soil treatment standards)
- Treatability variances
- Area of contamination/CAMU
  - ▶ [http://www.epa.gov/correctiveaction/resource/guidance.htm#remediation waste](http://www.epa.gov/correctiveaction/resource/guidance.htm#remediation%20waste)
- Innovative Characterization Approaches - CLU-IN
  - ▶ <http://clu-in.org/char1.cfm>

## **Leveraging State and Non-RCRA Programs**

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- Non-RCRA programs
- Voluntary Cleanup Programs (VCP)
- Memorandum of Understanding/  
Memorandum of Agreement

## **Cleanup Levels and Completeness**

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- Results-Based approach to Corrective Action  
Draft Guidance
  - [http://www.epa.gov/correctiveaction/resource/guidance/gen\\_ca/results.htm](http://www.epa.gov/correctiveaction/resource/guidance/gen_ca/results.htm)
- Risk-Based Decision Making: Risk Based Clean Closure March 16, 1998 memo
  - <http://www.epa.gov/correctiveaction/resource/guidance/risk/cclosfnl.pdf>
- Upcoming Corrective Action Completion Guidance

## Liability

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- Comfort Letters
- Prospective Purchaser Agreements (PPA)
- Completion Guidance - in draft
- Institutional controls
  - <http://www.epa.gov/correctiveaction/resource/guidance/ics/icfactfinal.pdf>

## Financially Limited Sites

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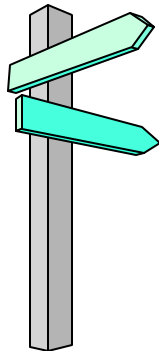
- Prioritize cleanup activities
- Work with stakeholders and site to accommodate creative and workable approaches
- Tap into a variety of brownfield and community financing resources



## Goals and Results

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- Faster RCRA cleanups
- Better communication and inclusion of all partners and stakeholders
- A focus on results - not process
- Integrating RCRA cleanups and brownfields redevelopment opportunities
- Prevent future brownfields and Superfund sites
- New jobs, tax base, and greenspace in our communities
- Innovation in the way we implement our regulatory programs



## What's Next?

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- Implement five new RCRA Brownfields Pilots/ Complete first four pilots
- Implement the eight new Targeted Site Efforts
- Expert training and outreach activities
- Continued collection and dissemination of RCRA success stories
- Intensified efforts to coordinate amongst multi-media programs; formation of cross-media, multi-region work group
- Continued development of tools to support RCRA clean-up program

